

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUSTAVO BERMUDEZ,

Plaintiff,

-against-

07 Civ. 9537 (HB)

CITY OF NEW YORK POLICE DEPARTMENT AND
THE UNITED STATES DRUG ENFORCEMENT
ADMINISTRATION,

Defendant.

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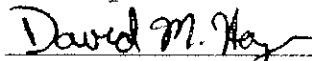
PLEASE TAKE NOTICE that upon the annexed Declaration of Assistant Corporation Counsel David M. Hazan, dated February 19, 2008, and the exhibits annexed thereto; the accompanying Memorandum of Law; and upon all prior pleadings and proceedings had herein, defendant New York City Police Department will move this Court before the Honorable Harold Baer, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, pursuant to 12(c) of the Federal Rules of Civil Procedure, dismissing plaintiff's complaint against defendant, with prejudice, and for such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, shall be served on or before March 4, 2008.

PLEASE TAKE FURTHER NOTICE that reply papers, if any, shall be served on or before March 11, 2008.

Dated: New York, New York
February 19, 2008

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendant New York City Police
Department
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By: 
David M. Hazan (DH-8611)
Assistant Corporation Counsel

TO: Karen L. Mayer, Esq.
Philip Russell, LLC
66 Field Point Road
Greenwich, Connecticut 06830

CC: Honorable Harold Baer
United States District Judge, SDNY
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

CC: Sharon E. Frase
Assistant United States Attorney
One St. Andrews Plaza
New York, New York 10007

Docket No. 07 Civ. 9537 (HB)

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-against-

CITY OF NEW YORK POLICE DEPARTMENT
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ENFORCEMENT ADMINISTRATION,

Defendants.

**NOTICE OF MOTION, DECLARATION OF
DAVID M. HAZAN IN SUPPORT OF
DEFENDANT'S MOTION TO DISMISS AND
EXHIBITS**

*MICHAEL A. CARDOZO
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*Of Counsel: David M. Hazan
Tel: (212) 788-8084
NYCLIS No. 2007-036724*

Due and timely service is hereby admitted.

New York, N.Y., 2008

.....Esq.

Attorney for